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Letter dated 26 April 2017 from the Chair of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, and in accordance with the presidential statement of the Security Council of 11 May 2016 (S/PRST/2016/6), I have the honour to submit to the Council, for its further consideration, a document of the Counter-Terrorism Committee containing a proposal for a comprehensive international framework to counter terrorist narratives (see annex).

As requested by the Security Council, the proposal was prepared by the Counter-Terrorism Committee, in close consultation with the Counter-Terrorism Committee Executive Directorate and other relevant United Nations bodies and international and regional organizations, in particular the Counter-Terrorism Implementation Task Force Office, as well as interested Member States.

The Committee would be grateful if the present letter and its annex could be brought to the attention of the members of the Council for further consideration and issued as a document of the Council.

(*Signed*) Amr Abdellatif **Aboulatta**
Chair
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Comprehensive international framework to counter terrorist narratives

1. The Counter-Terrorism Committee proposes that the comprehensive international framework to counter terrorist narratives called for in S/PRST/2016/6 consist of three core elements: legal and law enforcement measures in accordance with obligations under international law, including international human rights law, and relevant Security Council resolutions and in furtherance of General Assembly resolutions; public-private partnerships; and the development of counter-narratives.

Legal and law enforcement measures in accordance with obligations under international law and consistent with United Nations resolutions

2. In its resolution 1624 (2005), adopted in September 2005, the Security Council condemns in the strongest terms the incitement of terrorist acts and repudiates attempts at the justification or glorification (*apologie*) of terrorist acts that may incite further terrorist acts. It also calls upon all States to adopt such measures as may be necessary and appropriate and in accordance with their obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct. In resolution 1624 (2005), the Council also calls upon all States to take measures to prevent incitement to commit a terrorist act, to deny safe haven to any persons about whom there is credible and relevant information giving serious reasons for considering that they have been guilty of such incitement, and to strengthen international cooperation, including through enhanced border security and screening measures, with a view to preventing those guilty of such incitement from entering their territories. The Council further calls upon all States, in accordance with their obligations under international law, to prevent the indiscriminate targeting of different religions and cultures and prevent the subversion of educational, cultural, and religious institutions by terrorists and their supporters. In its Global Counter-Terrorism Strategy (resolution 60/288), the General Assembly resolved to "continue to work to adopt such measures as may be necessary and appropriate and in accordance with our respective obligations under international law to prohibit by law incitement to commit a terrorist act or acts and prevent such conduct".

3. Legal and law enforcement measures taken consistent with United Nations resolutions and Member States' obligations under international law to prohibit and prevent incitement to commit acts of terrorism are a core part of the comprehensive international framework to counter terrorist narratives. Based on its mandate from the Council to engage in dialogue with Member States on their efforts to implement resolution 1624 (2005), the Counter-Terrorism Committee has been engaged for nearly 12 years in assessing the implementation of resolution 1624 (2005) by States and identifying good practices. In January 2016, the Committee published its second global survey of the implementation of Security Council resolution 1624 (2005) by Member States (S/2016/50). In that document, the Committee noted that the threat of incitement to commit acts of terrorism had increased significantly worldwide, largely due to the increase in messaging transmitted over information and communications technology (ICT), as well as in more traditional venues, such as educational and religious institutions. The Committee also concluded that "even as incitement remains a persistent threat in many States around the world, Member States are also strengthening and diversifying their responses to the threat".

4. It should be recalled that, in all actions taken to counter and prevent incitement to commit terrorist acts, it is important to distinguish between

communications that may be criminal in nature and others that, while morally repugnant, do not rise to that level. In its resolution 1624 (2005), the Security Council stresses that States must ensure that any measures taken to implement the resolution comply with all of their obligations under international law, in particular international human rights law, refugee law and humanitarian law. In the preamble to the resolution, the Council recalls the right to freedom of expression reflected in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, reiterating that "any restrictions thereon shall only be such as are provided by law and are necessary on the grounds set out in article 19, paragraph 3, of the Covenant". Law enforcement approaches are undoubtedly appropriate in cases of criminal incitement, but the line between unlawful and lawful communications can be difficult to discern. As the United Nations Office on Drugs and Crime (UNODC) has observed, "simultaneously implementing both article 19 and article 20 [of the Covenant] to safeguard the right of every person to be free from the threat of violence, while protecting freedom of opinion and expression, necessitates careful choices of statutory policy and language".[1] In the context of preventing and countering terrorism, effective counter-terrorism measures and the protection of human rights are not conflicting goals, but complementary and mutually reinforcing.

5. In its resolution 1373 (2001), the Security Council also calls on States to intensify and accelerate the exchange of operational information in accordance with international law and domestic law and requires States to take steps to deny safe haven to those who finance, plan, facilitate or commit terrorist acts. It is clear that further efforts are necessary in this respect. INTERPOL can play an important role in these efforts. INTERPOL has strengthened its open-source intelligence collection capabilities and issues media content notifications to law enforcement agencies of Member States to support criminal investigations. Moreover, as part of its capacity-building efforts, INTERPOL works with Member States to train law enforcement officials in digital evidence exploitation to enhance investigations. Member States should rely more consistently on the resources provided by INTERPOL, as well as the technical support that is available through assistance providers such as the UNODC Terrorism Prevention Branch. Regional organizations also have an important contribution to make. For example, the Council of Europe Convention on the Prevention of Terrorism contains provisions on prevention and international cooperation, including with respect to "public provocation" to commit acts of terrorism.

6. In addition to resolution 1624 (2005), there are other Security Council resolutions that impose law enforcement obligations on States that are relevant to countering terrorist narratives. Council resolution 1373 (2001) obliges States to suppress recruitment of members of terrorist groups, and it further requires them to "ensure that any person who participates in the financing, planning, preparation or perpetration of terrorist acts or in supporting terrorist acts is brought to justice". In those instances in which narratives rise to the level of recruitment or other acts enumerated in resolution 1373 (2001), the Security Council has clarified that appropriate legal and law enforcement action should be taken.

7. The comprehensive international framework to counter terrorist narratives thus includes the ongoing work of the Security Council and its Counter-Terrorism Committee to promote effective implementation of the legal and law enforcement aspects of relevant Security Council resolutions, including resolutions 1373 (2001)

[1] United Nations Office on Drugs and Crime, Terrorism Prevention Branch, "Preventing terrorist acts: a criminal justice strategy integrating rule of law standards in implementation of United Nations anti-terrorism instruments", Technical assistance working paper (New York, 2006).

and 1624 (2005). The General Assembly's Global Counter-Terrorism Strategy and subsequent General Assembly resolutions are also relevant in this regard. The Council may wish, as part of the framework, to propose reinforced efforts by the Committee and the Executive Directorate, taken in consultation with the Counter-Terrorism Implementation Task Force Office and others, to promote implementation of the aspects of the Strategy relevant to enforcement action to counter terrorist narratives, consistent with the obligations of States under international law.

Public-private partnerships

8. The Security Council has long noted the importance of public-private partnerships in efforts to counter incitement to commit acts of terrorism. In its resolution 1624 (2005), the Council stressed that the business community, among others, has a role to play in fostering an environment that is not conducive to incitement of terrorism. In its resolution 2129 (2013), the Council noted the nexus between terrorism and ICT, in particular the Internet, and directed the Counter-Terrorism Committee Executive Directorate to continue to address this issue in consultation with all stakeholders, including the private sector. In its special meeting on preventing the exploitation of ICT for terrorist purposes, while respecting human rights and fundamental freedoms, held at United Nations Headquarters on 30 November and 1 December 2016, the Committee considered the role that private companies can play with respect to countering terrorist narratives online. The role of the Internet in the radicalization of vulnerable individuals to commit acts of violence, along with other factors, needs further research. Nonetheless, it is well known that the Islamic State in Iraq and the Levant (ISIL) and other terrorist entities are using ICT in increasingly sophisticated ways to facilitate their activities, among other platforms. There is also wide agreement that companies that maintain ICT platforms can continue to play an important role in preventing such abuse.

9. The Madrid Guiding Principles, adopted by the Committee following its special meeting on stemming the flow of foreign terrorist fighters, held in Madrid in July 2015 (see S/2015/939, annex II), include the following provision:

> States, regional organizations, the private sector and civil society should establish effective partnerships, with a view to developing improved methods for monitoring and studying terrorist content transmitted over the Internet and other communications technologies and countering incitement to commit terrorist acts, utilizing it for intelligence work and referring it, where appropriate, to relevant law enforcement agencies.

10. Calls by Member States for encouraging the support of the private sector in countering terrorist narratives and online propaganda have focused on both disruptive and preventive measures, as well as counter-messaging campaigns. In some jurisdictions, mechanisms have been introduced that bring public and private sector actors together to reduce the accessibility of terrorist content online, including by blocking, filtering or removing such content. The manner in which these arrangements are implemented depends upon the national context. In some countries, relevant authorities identify online terrorist content and inform companies of the potential abuse of their platforms. In some countries, national authorities cannot require the removal of content, on the basis that doing so would constitute a violation of their applicable human rights obligations, including those embodied in their constitutions.

11. Social media companies typically have terms of service that, if violated, provide a basis for taking down certain content. Many leading companies are proactively introducing voluntary measures to prevent the exploitation of their

products and services for terrorist purposes. These measures are largely approached from a content management perspective and involve, among other steps, modifying terms of service and community standards to prohibit terrorist content. Many ICT companies also allow users to flag content that violates their terms of service.

12. The Counter-Terrorism Committee Executive Directorate and the Switzerland-based non-governmental organization ICT4Peace launched a project in 2016 aimed at identifying emerging norms of voluntary self-regulation by the private sector in its responses to terrorist abuse of their products and services and highlighting public-private initiatives in this area. Under the project, an initial series of consultations with different stakeholders was organized during 2016 in Europe, North America, and Asia. Some private sector entities have shown interest in supporting the development of counter-narratives in cooperation with civil society, using their platforms. Information and communications technology firms have launched a number of innovative programmes and campaigns to empower those closest to vulnerable individuals, including youth, women, families and religious, cultural and educational leaders, to counter online violent extremism and terrorist propaganda.

13. At the regional level, the European Union Internet Forum, established in December 2015, brings together Member States, the private sector and civil society organizations to explore ways to tackle terrorist propaganda online, while respecting human rights. At the second European Union Internet Forum, held in December 2016, the Civil Society Empowerment Programme was launched to support civil society efforts to develop effective counter-narratives online in partnership with the private sector. The Global Network Initiative has maintained a dialogue with the ICT industry aimed at addressing the challenges faced by ICT companies in responding to Government requests to remove terrorist content from their platforms. The Initiative issued a new policy brief in November 2016 with recommendations for Governments and private companies on promoting and protecting freedom of expression and privacy rights, while responding to reports of violent extremist or terrorist content online.

14. The work of the United Nations and others, including Member States, in promoting public-private partnerships should be considered a core element of the comprehensive international framework to counter terrorist narratives. The Council may wish to direct the Committee to reinforce its efforts in this area, including through initiatives such as the Counter-Terrorism Executive Directorate-ICT4Peace project.

Counter-narratives

15. There has been greatly increased interest worldwide in the role of counter-narrative campaigns as part of a comprehensive approach to the threats of terrorism and violent extremism as and when conducive to terrorism. In its resolution 1624 (2005), the Security Council, in addition to calling for legal measures, calls upon States to "continue international efforts to enhance dialogue and broaden understanding among civilizations", and to "take all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts motivated by extremism and intolerance". In its resolution 2178 (2014) on the threat posed by foreign terrorist fighters, the Security Council encourages States "to engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts". In the same resolution, the Council also underscores the role that education can play in countering terrorist narratives.

16. Member States and others have observed that terrorists use many different tactics to try to recruit new adherents to their cause. Much attention has been paid to the abuse of ICT by terrorists, and there is no doubt that electronic media hold great appeal as an inexpensive, easily concealed and highly efficient means of communicating with a vast audience. Yet ICT is only one avenue used by terrorists to recruit; indeed, in many countries, large parts of the population do not have access to ICT. In both developed and developing countries, research shows that recruitment and radicalization to violence often occurs through direct contact in local communities, frequently through interactions with relatives and friends. In many countries, terrorists and their supporters have succeeded in subverting educational, cultural and religious institutions. Terrorists use tailored approaches in these and other settings to try to recruit vulnerable people, including women and girls. They often invest considerable time and resources in working to radicalize single individuals to violence. Prisons are another setting in which terrorist sympathizers use narratives to recruit and radicalize to violence. The effective countering of terrorist narratives therefore requires strategic thinking by the international community on a number of fronts, both online and on the ground, in local communities, schools, prisons and elsewhere. The effort must furthermore be scaled so as to match the scale achieved by terrorist narratives, both online and offline, in recent years.

17. Counter-narrative campaigns fall conceptually within the broader category of counter-incitement and common vulnerabilities and exposures strategies of States that aim to address factors that may lead to terrorism and violent extremism as and when conducive to terrorism. They tackle the motivations that lead certain vulnerable people to consider joining terrorist groups, in part by addressing issues such as feelings of alienation, discrimination, lack of economic opportunity and anger over unresolved conflict. It is now widely agreed that, in order to effectively counter terrorist narratives, States and others must enter more fully into the "marketplace of ideas", to emphasize terrorists' inhumanity, reveal the flaws in their arguments and offer alternative points of view. Many experts also believe that, in addition to counter-narratives, it is necessary to develop positive or alternative narratives that promote a more holistic world view, including by proposing non-violent ways to address grievances.

18. There can be no doubt that developing effective counter-narratives is challenging. Terrorist narratives are complex and come in different forms. They encompass a wide range of subjects, including, for example, the purported use of religious justifications for terrorist acts; the supposed glory of life on the battlefield; calls to action based on experiences of social injustice, human rights violations or abuses and discrimination; the sense of identity offered by a like-minded community; and, in the case of ISIL, the principles on which the so-called caliphate is based. Many different approaches could be taken to counter these narratives, including, for example, scholarly rebuttals by religious authorities on issues like tolerance and non-violence; contradicting evidence on life in battle zones (including the testimonies of former terrorists); personal stories of the impact of terrorism on victims and their families; and information on the scale and severity of human rights abuses committed by terrorist groups. Much depends on the context in which the narrative is communicated, including the national context. Much also depends on the psychological profiles of targeted individuals. For this reason, counter-narratives aimed at a large audience often need to be supplemented by one-on-one interventions, including through the work of community mentors, mental-health professionals and others. The level of critical thinking skills in target audiences is another factor that can greatly affect the impact of terrorist narratives.

19. Many States and experts in the field believe that focusing attention only on countering terrorist narratives is unlikely to succeed, in part because this only targets one facet of narratives that are often multilayered and complex. It is thus necessary, it is argued, also to offer alternative or positive narratives, especially when terrorists seek to exploit genuine grievances. Effective narratives must take into account genuine feelings of powerlessness and alienation and provide credible alternatives, especially to vulnerable young people searching for a sense of meaning in their lives. In its resolution 2178 (2014), the Security Council stressed the importance of Member States' efforts "to develop non-violent alternative avenues for conflict prevention and resolution by affected individuals and local communities to decrease the risk of radicalization to terrorism, and of efforts to promote peaceful alternatives to violent narratives espoused by foreign terrorist fighters". While acts of terrorism are criminal and unjustifiable, counter-narratives must still address underlying drivers by proposing non-violent avenues of change.

20. Countering terrorist narratives also presents the challenge of engaging with many different actors. Many States stress that States themselves must take the lead in this area and, furthermore, that counter-narrative efforts must respect the principles of the Charter of the United Nations, including the sovereignty of Member States. It is also widely felt, however, that successful counter-narrative campaigns require engagement with different stakeholders, including religious and community leaders, youth, women, victims of terrorism, civil society organizations, private sector entities and the media. In this challenging area of work, it is necessary to build strategic partnerships, share experiences and good practices internationally and remain dynamic in crafting effective responses. Given the high sensitivity of work in the area of counter-terrorism, it is also necessary to take steps to ensure the safety and security of all who become involved and to preserve the independence of civil society organizations. It is especially important, in most contexts, to avoid labelling the work of community actors as counter-terrorism.

21. Many States and independent experts believe that Governments acting on their own are not well suited to mounting effective counter-narrative campaigns. Instead, the most helpful role for Governments is often acting as a facilitator, "seeding" but not directing messaging efforts, and helping to identify sources of funding. Vulnerable young people are more likely to be convinced by the viewpoints of peers and role models than by official statements. A broad coalition is therefore necessary to effectively counter terrorist narratives, but for such a coalition to come together, it is necessary to build trust and a sense of common purpose among different actors.

22. The comprehensive international framework to counter terrorist narratives should therefore include the continued development of effective counter-narratives by all actors with contributions to make in this area.